

From: Nancy S. Goroff
To: Microsoft ATR
Date: 1/25/02 10:02pm
Subject: Microsoft Settlement

I am writing to express my concern at the proposed settlement of the Microsoft vs. U.S. antitrust case. The court has found that Microsoft illegally used its monopoly power, yet the settlement as it stands provides little assurance that Microsoft will end this behavior. In fact, predatory monopoly bullying is the norm for Microsoft. The settlement needs to have significant muscle behind it to get Microsoft to change its corporate strategy and culture. As written, the settlement lacks an effective enforcement mechanism.

In addition, the wording of the settlement is overly narrow, making it easy for Microsoft to claim that next year's products are outside the scope of the agreement. Terms such as "API" and "middleware" are defined in limited ways that do not apply to all current Microsoft products. Also, Microsoft is supposedly required to provide information to possible competitors, but only in limited form, and at times late in the product development cycle.

In short, the settlement is full of loopholes, and even then it is not easily enforced. Consumers like me need more protection from anticompetitive behaviour. The settlement should be rejected in favor of something better.

Sincerely yours,
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